

CALIFORNIA COASTAL COMMISSION

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November 10, 2010

Mr. Drew Stuyvenberg
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

VIA EMAIL to andrew.stuyvenberg@nrc.gov

RE: Revised Schedule for Nuclear Regulatory Commission (NRC) Review of Pacific Gas & Electric Company's (PG&E's) Operating License Renewal for Diablo Canyon Power Plant.

Dear Mr. Stuyvenberg:

We received the NRC's October 15, 2010 notice describing the NRC's revised schedule for its review of PG&E's Diablo Canyon license renewal request. We are writing to recommend the NRC modify that schedule to include the project's required federal consistency review.

As you know, and as stated in our previous letter of March 12, 2010 (attached), renewal of PG&E's NRC operating license for the Diablo Canyon Power Plant is subject to federal consistency review by the Coastal Commission, pursuant to the requirements of the California Coastal Management Program (CCMP) and associated federal regulations at 15 CFR 930 *et seq.* As stated in 15 CFR 930.53(d), the NRC cannot grant its license until the Coastal Commission has concurred with the applicant's certification or until our concurrence is conclusively presumed waived. Although PG&E submitted a partial consistency certification to the Coastal Commission in December 2009, that certification request is incomplete pending PG&E's submittal of additional information (see our December 29, 2009 letter to PG&E, which we provided previously to the NRC). As a result of the request being incomplete, and pursuant to 15 CFR 930.60, the Coastal Commission's consistency review period has not yet started and we have not waived our review.

Part of the information the Coastal Commission needs for its federal consistency review includes results from several seismic studies PG&E will be conducting over the next few years. We anticipate PG&E will complete the needed studies after the May 2012 date listed on the NRC's recently revised schedule. We therefore believe it would be reasonable and more accurate for the NRC to modify its schedule by including the Coastal Commission's decision on its consistency review as a prerequisite to the NRC's expected final decision date.

Thank you for your attention to this issue. Please feel free to contact Tom Luster of my staff at (415) 904-5248 or tluster@coastal.ca.gov if you have any questions.

Sincerely,



Alison J. Dettmer

Deputy Director

Energy, Ocean Resources, and Federal Consistency Division

Cc (via email): PG&E – Mr. Mark Krausse
California Energy Commission – Barbara Byron
California Public Utilities Commission – Robert Barnett (re: PUC
Proceeding #A1001022)

Attachment: March 12, 2010 letter to NRC regarding Coastal Commission's federal
consistency review.

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March 12, 2010

Ms. Kimberly Green
Project Manager – Diablo Canyon License Renewal
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RE: Information Required for Federal Consistency Certification – Pacific Gas & Electric Company's (PG&E's) Requested Nuclear Regulatory Commission (NRC) Operating License Renewal for Diablo Canyon Power Plant.

Dear Ms. Green:

We are writing to clarify an information requirement for the above-referenced federal consistency certification. We understand the NRC is determining whether PG&E must conduct several seismic studies as part of PG&E's requested license renewal.¹ Please note that the Coastal Commission staff has already informed PG&E that results from updated seismic studies are necessary to complete its federal consistency review for the proposed license renewal.

As you know, renewal of PG&E's NRC operating license for the Diablo Canyon Power Plant is subject to federal consistency review by the Coastal Commission, pursuant to the requirements of the California Coastal Management Program (CCMP) and the associated federal regulations at 15 CFR 930 *et seq.* PG&E submitted a consistency certification to the Commission in December 2009; however, as detailed in the attached December 29, 2009 letter from Commission staff to PG&E, that certification is incomplete, in part due to the need for results from updated seismic studies. As stated in that letter, PG&E must provide the following information to allow the Commission to determine whether the project conforms to the CCMP:

"...all data and interpretive summaries, such as those conducted by PG&E and USGS under their CRADA agreement and the Long Term Seismic Program of PG&E, characterizing the seismicity and tectonic structure in the vicinity of the plant...", "characterization of the Hosgri and Shoreline Faults, including fault geometry, seismicity, and sense of movement; estimates of maximum credible earthquake (from a deterministic perspective) on these and all other faults; the ground shaking expected at the site from such earthquakes; and the deep crustal structure beneath the plant (in particular an evaluation of the "Namson model" of thrust ramps beneath the plant)...", and "as recommended by the Technical Advisory Team established pursuant to AB 1632,⁷ ...the three-dimensional seismic data... collected and interpreted as part of this evaluation."

¹ As reported in the March 10, 2010 San Luis Obispo Tribune, at:
<http://www.sanluisobispo.com/2010/03/09/1060815/diablo-relicensing-delay-sought.html>

*Proposed NRC License Renewal for PG&E's Diablo Canyon Power Plant
Information Required for Federal Consistency Certification Review*

March 12, 2010

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The Coastal Commission will also need this information to review PG&E's upcoming application for a coastal development permit, which is also required of the project. We anticipate conducting the necessary federal consistency review concurrent with review of the permit application.

Thank you for your attention to this issue. Please feel free to contact Tom Luster of my staff at (415) 904-5248 or tluster@coastal.ca.gov if you have any questions.

Sincerely,



Alison J. Dettmer
Deputy Director
Energy, Ocean Resources, and Federal Consistency Division

Cc (via email): PG&E – Mr. Mark Krausse
California Energy Commission – Barbara Byron
California Public Utilities Commission – Robert Barnett (re: PUC
Proceeding #A1001022)
San Luis Obispo County Board of Supervisors

Attachment: December 29, 2009 letter to PG&E regarding information needed to complete consistency certification.